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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,089	12/14/1999	SHMUEL SHAFFER	M-7917-US	1994
33031	7590	09/09/2004	EXAMINER	
CAMPBELL STEPHENSON ASCOLESE, LLP			ZIA, SYED	
4807 SPICEWOOD SPRINGS RD.				
BLDG. 4, SUITE 201			ART UNIT	
AUSTIN, TX 78759			PAPER NUMBER	
			2131	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/460,089

Applicant(s)

BEDARD ET AL.

Examiner

Syed Zia

Art Unit

2131

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: -None-.Claim(s) objected to: -None-.Claim(s) rejected: 1,3-11 and 13-56.Claim(s) withdrawn from consideration: -None-.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Attachment to Advisory action

This is in response to request for reconsideration filed on May 17, 2007. Original application contained Claims 1-56. Applicant previously cancelled Claims 2, and 12. Therefore, pending Claims 1, 3-11, and 13-56 are presented for further reconsideration.

Response to Arguments

Applicant's arguments on May 17, 2007 have been fully considered but they are not persuasive because of the following reasons:

Regarding Claim 1 applicant argued that U. S. Patent 5,408,518 issued to Yunoki (hereinafter, Yunoki) does not teach or fails to describe, “*adding a network station to an ongoing conference call*”, and “*extending a persistent invitation*”. Applicant also argued that in the system of Yunoki a participant could be added to a teleconference run without ever having reviewed any data regarding teleconference.

This is not found persuasive. Yunoki clearly teaches the teleconference system comprises a teleconference registration device for registering, notifying all teleconference participants of the teleconference and for responding to a status confirmation request for the date and time of the teleconference run. A teleconference run device holds a teleconference by automatically connecting all attending teleconference participants online on the date and time of the teleconference run registered by the teleconference registration device run (col.5 line 28 to col.6 line 5, and col.6 line 61 to col.7 line 47). A user can obtain the teleconference data by specifying

Art Unit: 2131

a teleconference ID. This operation enables the teleconference status confirmer in the teleconference to execute the process for allowing any of the teleconference participants to obtain pertinent teleconference data and status confirmation.

As a result, Yunoki does implement a system to extend conference capabilities of an ongoing conference call. Applicants clearly have failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts.

Therefore, the examiner asserts that Yunoki does teach or suggest the subject matter broadly recited in independent Claims 1, 11, 24, and 39. Dependent claims 3-10, 13-23, 25-38, and 40-56 are also rejected at least by virtue of their dependency on independent claims. Accordingly, rejections for Claims 1, 3-11, 13-56 are respectfully maintained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SZ

August 27, 2004


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100